

**FILED**

JUN 15 2012

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**STATE BAR COURT OF CALIFORNIA  
HEARING DEPARTMENT – SAN FRANCISCO**



In the Matter of	)	Case Nos.: <b>04-C-10238-PEM; 04-C-10513;</b>
	)	<b>05-C-02624; 06-O-12003 (06-O-</b>
<b>JAMES PAUL SWANSEEN</b>	)	<b>13269) Cons. (S154333)</b>
	)	
<b>Member No. 159918</b>	)	<b>ORDER GRANTING PARTIAL RELIEF</b>
	)	<b>FROM COSTS AND EXTENDING TIME</b>
A Member of the State Bar.	)	<b>TO PAY COSTS and DENYING</b>
	)	<b>REQUEST FOR A HEARING</b>
	)	

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On April 30, 2012, respondent James Paul Swanseen filed a Motion for Relief From or Extension of Time to Pay Disciplinary Costs (motion). (Rules Proc. of State Bar, rule 5.130.) Respondent also submitted a financial declaration in support of his motion. Specifically, respondent is seeking to be relieved from payment of costs assessed against him by the Supreme Court in its September 6, 2007 order in case No. S154333 (State Bar Court case No. 04-C-10238-PEM, et al.), as modified by this court's September 28, 2010 Order Granting Partial Relief From Costs and Extending Time to Pay Costs, on grounds of financial hardship or in the alternative, is seeking an extension of time to pay the disciplinary costs. Respondent also requests that he be "permitted to appear in person," i.e., respondent is requesting a hearing, regarding his motion.

On May 10, 2012, the State Bar of California, Office of the Chief Trial Counsel (State Bar), filed its Opposition to Motion for Relief From Payment of Costs; Non-Opposition for

Extension to Pay (the State Bar's response), wherein it acknowledged that respondent has established good cause for an extension of time based on his "dire financial condition."

Nonetheless, the State Bar objected to any waiver of costs.

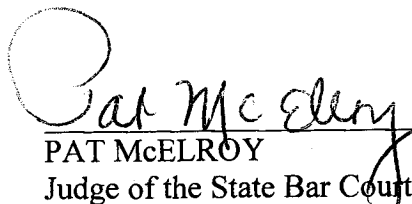
Having carefully considered all issues and evidence set forth in respondent's motion and the State Bar's response and good cause having been shown (respondent's financial hardship), the court hereby **ORDERS** the following:

1. Respondent's motion for relief from the order assessing costs is **GRANTED, in part**, in light of the fact that he is receiving financial assistance under the Food Stamps Program and has established severe financial hardship. Accordingly, respondent is relieved of one-third of the assessed costs and, therefore, must pay the remaining two-thirds of the assessed costs.
2. In addition the court grants respondent an extension of time to pay costs in that respondent must pay the remaining balance of the disciplinary costs in five equal installments: one-fifth of said costs must be paid with his membership fees for each of the years, **2013, 2014, 2015, 2016, and 2017**. If respondent fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to Business and Professions Code section 6086.10, subdivision (c), the remaining balance of the costs is due and enforceable as provide in Business and Professions Code section 6140.7 and as a money judgment.

The court, however, finding no good cause, **DENIES** respondent's request for a hearing in this matter.

**IT IS SO ORDERED.**

Dated: June 15, 2012

  
PAT McELROY  
Judge of the State Bar Court

## CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of San Francisco, On June 15, 2012, I deposited a true copy of the following document(s):

ORDER GRANTING PARTIAL RELIEF FROM COSTS AND EXTENDING TIME TO PAY COSTS AND DENYING REQUEST FOR A HEARING

in a sealed envelope for collection and mailing on that date as follows:

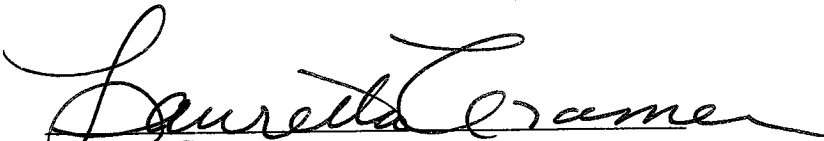
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at San Francisco, California, addressed as follows:

JAMES P. SWANSEEN  
18 DOLPHIN ISLE  
NOVATO, CA 94949

- ☒ by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

MANUEL JIMENEZ , Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on June 15, 2012.

  
Laurretta Cramer  
Case Administrator  
State Bar Court